

IN THE MATTER OF  
THE APPLICATION OF  
WILLIAM PANAGEOTOU, ET US  
FOR A ZONING VARIANCE ON  
PROPERTY LOCATED ON THE WEST  
SIDE OF SILVER HALL RD, N/C  
OF SILVER SPRING ROAD  
11TH ELECTION DISTRICT  
5TH COUNCILMANIC DISTRICT

ORDER OF DISMISSAL

This matter comes to the Board on appeal from a decision of the Zoning Commissioner which granted in part and denied in part the subject Petition for Variance.

Just prior to the hearing, Petitioner presented the Board with a written dismissal. Since no notice had been afforded the Protestants and since they were represented in the hearing room, the Board went on the record and dismissed the case in open hearing as evidenced by the letter of dismissal.

THEREFORE, IT IS HEREBY ORDERED this 13th of March 1991, by the County Board of Appeals of Baltimore County, that said appeal be and the same is hereby DISMISSED.

COUNTY BOARD OF APPEALS  
OF BALTIMORE COUNTY

William T. Hackett  
William T. Hackett, Chairman

Lynn B. Moreland  
Lynn B. Moreland

Harry E. Buchheister, Jr.  
Harry E. Buchheister, Jr.



County Board of Appeals of Baltimore County  
COUNTY OFFICE BUILDING, ROOM 315  
111 W. CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204  
(301) 887-3180

March 13, 1991

Mr. William Panageotou  
8700 Silver Hall Road  
Perry Hall, MD 21128

Re: Case No. 90-473-A  
William Panageotou, et ux

Dear Mr. Panageotou:

Enclosed is a copy of the final Order of Dismissal issued this date by the County Board of Appeals in the subject matter.

Sincerely,

Kathleen C. Weidenhammer  
Kathleen C. Weidenhammer  
Administrative Assistant

encl.

cc: Mr. & Mrs. John A. Soles, Jr.  
P. David Fields  
Pat Keller  
J. Robert Haines  
Ann M. Nastarowicz  
James E. Dyer  
W. Carl Richards, Jr.  
Docket Clerk - Zoning  
Baltimore County Attorney

IN RE: PETITION FOR ZONING VARIANCE  
W/S Silver Hall Rd., N/C  
of Silver Spring Road  
8700 Silver Hall Road  
11th Election District  
5th Councilmanic District  
William Panageotou, et ux  
Petitioners

BEFORE THE  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
Case No. 90-473-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 1B02.3.B., 301.1 to permit an open projection (deck) with a rear yard setback of 5 feet in lieu of the required 11.75 feet and to amend the 1st Amended Final Development Plan of Village of Silver Hall, Block B, Lot #5 to allow construction of this projection outside of the building envelope, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioner, William Panageotou, appeared and testified. Mr. and Mrs. John A. Soles, Jr., appeared as Protestants.

Testimony indicated that the subject property known as 8700 Silver Hall Road consists of .165 acres +/- zoned D.R.5.5 and is currently improved with a single family dwelling.

The Petitioner testified that he is desirous of constructing an open deck on the rear of his property. He testified that he is proposing to construct a 3 to 4 foot railing around the deck and will enclose the space underneath the deck with lattice work. The Petitioner testified that, due to the layout of his home on the subject site, the proposed location for the deck is the only practical place on the lot to construct the deck.

ORDER RECEIVED FOR FILING  
Date  
By

1991  
March  
13

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

June 13, 1990



Dennis F. Rasmussen  
County Executive

Mr. and Mrs. William Panageotou  
8700 Silver Hall Road  
Perry Hall, Maryland 21128

RE: Petition for Zoning Variance  
Case No. 90-473-A

Dear Mr. and Mrs. Panageotou:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

J. Robert Haines  
Zoning Commissioner

JRH:mmm  
encl.  
cc: Peoples Counsel  
Mr. and Mrs. John A. Soles, Jr.

If the variance relief was not granted in part. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance relief requested will not be detrimental to the public health, safety and general welfare, if granted in part.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted in part.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 18th day of June, 1990, to permit an open projection (deck) with a rear yard setback of 5 feet in lieu of the required 11.75 feet is hereby DENIED; and,

IT IS FURTHER ORDERED that a variance from Section 1B02.3.B., 301.1 to permit an open projection (deck) with a rear yard setback of 7 feet in lieu of the required 11.75 is hereby GRANTED; and

IT IS FURTHER ORDERED that the 1st Amended Final Development Plan of Village of Silver Hall, Block B, Lot #5 to allow construction of this projection outside of the building envelope, in accordance with Petitioners' Exhibit No. 1 is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible

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Date  
By

1990  
June  
18

for returning, said property to its original condition.

2. Upon request and reasonable notice, the Petitioner shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

J. Robert Haines  
Zoning Commissioner  
for Baltimore County

JRH:mmm  
cc: Peoples Counsel

ORDER RECEIVED FOR FILING  
Date  
By

1990  
June  
18

PETITION FOR ZONING VARIANCE #342  
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-473-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1B02.3.B., 301.1 - To permit an open projection (deck) with a rear yard setback of 5 ft. in lieu of the required 11.75 ft. AND To amend the 1st Amended Final Development Plan of Village of Silver Hall, Block B, Lot #5 to allow construction of this projection outside of the building envelope...

1. Setback regulations prohibit the construction of a deck on any side of the property

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm under the penalties of perjury, that we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: William PANAGEOTOU  
(Type or Print Name)

Signature: William PANAGEOTOU  
(Type or Print Name)

Address: 8700 Silver Hall Rd.  
City and State: Perry Hall, MD 21128

Attorney for Petitioner: Dennis F. Rasmussen  
(Type or Print Name)

Address: 8700 Silver Hall Rd.  
City and State: Perry Hall, MD 21128

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name: William PANAGEOTOU  
Address: 8700 Silver Hall Rd.  
Phone No. 410-554-5576

Attorney's Telephone No.: 410-554-5576

ORDERED BY The Zoning Commissioner of Baltimore County, this 18th day of June, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 7th day of June, 1990, at 2 o'clock P.M.

J. Robert Haines  
Zoning Commissioner of Baltimore County

ESTIMATED LENGTH OF HEARING - 1/2HR.  
AVAILABLE FOR HEARING (over)  
ALL MON./TUES./WED. - NEXT TWO MONTHS  
REVIEWED BY: J. Robert Haines  
DATE: 6-30-90

ORDER RECEIVED FOR FILING  
Date  
By

1990  
June  
18



#342  
90-473-A

# ZONING DESCRIPTION

Beginning at a point on the west side of Silver Hall Road which is 50 feet wide at the distance of 37 feet north of the centerline of the nearest improved intersecting street which is Silver Spring Road which is 60 feet wide. Being Lot #5, Block B, in the subdivision of Village of Silver Hall as recorded in Baltimore County Plat Book #E.H.K. JR. No. 55, Folio #75, containing 7200 County Plat Book #E.H.K. JR. No. 55, Folio #75, containing 7200 square feet (0.165 acres in lot). Also known as 8700 Silver Hall Rd., Perry Hall, Maryland, 21128, and located in the 11th Election District.

**Baltimore County Zoning Commissioner**  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: R-001-6150  
Number: No 1

Date: 3/30/90  
H7000342

PUBLIC HEARING FEES	QTY	PRICE
010 - ZONING VARIANCE (1x1)	1	\$35.00
TOTAL:		\$35.00

LAST NAME OF OWNER: PANAGETOULOU

8 015 \*\*\*\*\*350613 03015  
Please make checks payable to Baltimore County

## CERTIFICATE OF PUBLICATION

TOWSON, MD. May 15, 1990

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on May 10, 1990.

THE JEFFERSONIAN,

S. Zeke Orlov  
Publisher

## CERTIFICATE OF POSTING

District: 11th Date of Posting: 3/27/90

Posted for: William Panagiotou, et ux

Petitioner: William Panagiotou, et ux

Location of property: 8700 Silver Hall Rd., Perry Hall, Md.

Location of Sign: 8700 Silver Hall Rd., Perry Hall, Md.

Remarks: On property of Petitioner

Posted by: William Panagiotou Date of return: 3/27/90

Number of Signs: 1

## CERTIFICATE OF POSTING

District: 11th Date of Posting: 8/17/90

Posted for: William Panagiotou, et ux

Petitioner: William Panagiotou, et ux

Location of property: 8700 Silver Hall Rd., Perry Hall, Md.

Location of Sign: 8700 Silver Hall Rd., Perry Hall, Md.

Remarks: On property of Petitioner

Posted by: William Panagiotou Date of return: 8/24/90

Number of Signs: 1

## CERTIFICATE OF PUBLICATION

TOWSON, MD. May 15, 1990

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER, weekly newspapers published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on May 9, 1990.

NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER

S. Zeke Orlov  
Publisher

## receipt

**Baltimore County Zoning Commissioner**  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: R-001-6150  
Number: No 2678

Date: 6/07/90  
H7000342

PUBLIC HEARING FEES	QTY	PRICE
080 - POSTING SIGNS / ADVERTISING	1	\$113.51
TOTAL:		\$113.51

LAST NAME OF OWNER: PANAGETOULOU

8 100 \*\*\*\*\*13518 30787

Please make checks payable to Baltimore County

**Baltimore County Zoning Commissioner**  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

DATE: 5-30-90



Dennis F. Rasmussen  
County Executive

Mr. & Mrs. Panagiotou  
8700 Silver Hall Road  
Perry Hall, MD 21128

Re: Petition for Zoning Variance  
CASE NUMBER: 90-473-A  
Petitioner(s): William Panagiotou, et ux  
HEARING: THURSDAY, JUNE 7, 1990 at 2:00 p.m.  
W/S Silver Hall Road, N/Cor. Silver Spring Road  
8700 Silver Hall Road  
11th Election District - 5th Councilmanic

Dear Petitioners:

Please be advised that \$113.51 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE BINDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,  
J. Robert Haines  
J. ROBERT HAINES  
ZONING COMMISSIONER

JRH:ga

**Baltimore County Zoning Commissioner**  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

April 26, 1990

## NOTICE OF HEARING



Dennis F. Rasmussen  
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance  
CASE NUMBER: 90-473-A  
Petitioner(s): William Panagiotou, et ux  
HEARING: THURSDAY, JUNE 7, 1990 at 2:00 p.m.  
W/S Silver Hall Road, N/Cor. Silver Spring Road  
8700 Silver Hall Road  
11th Election District - 5th Councilmanic

Variance: To permit an open projection (deck) with a rear yard setback of 5 feet in lieu of the required 11.75 feet AND to amend the First Amended Final Development Plan of Village of Silver Hall, Block B, Lot #15, to allow construction outside of the building envelope.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines  
J. ROBERT HAINES  
ZONING COMMISSIONER  
BALTIMORE COUNTY, MARYLAND

JRH:ga

cc: Mr. & Mrs. Panagiotou

**Baltimore County Zoning Commissioner**  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

May 23, 1990

Mr. & Mrs. William Panagiotou  
8700 Silver Hall Road  
Perry Hall, MD 21128

RE: Item No. 342, Case No. 90-473-A  
Petitioner: William Panagiotou, et ux  
Petition for Variance

Dear Mr. & Mrs. Panagiotou:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 897-3391.

Very truly yours,  
James E. Dyer  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:jw

Enclosures

**Baltimore County Zoning Commissioner**  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner



Dennis F. Rasmussen  
County Executive

Your petition has been received and accepted for filing this 18th day of April, 1990.

J. Robert Haines  
J. ROBERT HAINES  
ZONING COMMISSIONER

Received By:  
James E. Dyer  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: William Panagiotou, et ux  
Petitioner's Attorney:



Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
County Office Building  
Towson, Maryland 21204  
(301) 887-3554

April 6, 1990



Dennis F. Rasmussen  
County Executive

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 324, 329, 330, 331, 334, 335, 336, 337, 339, 340, 341, and 342.

Very truly yours,

*Michael S. Flanigan*  
Michael S. Flanigan  
Traffic Engineer Assoc. II

MSF/lvw

RECEIVED  
APR 16 1990

ZONING OFFICE

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: April 19, 1990  
Zoning Commissioner  
FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning  
SUBJECT: William Panageotou, Item No. 342

In reference to the Petitioner's request, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

APR 20 1990

Baltimore County  
Department of Permits & Licenses  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
(301) 887-3610  
Ted Zaleski, Jr.  
Director

APRIL 9, 1990



Dennis F. Rasmussen  
County Executive

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: WILLIAM PANAGEOTOU  
Location: #8700 SILVER HALL ROAD  
Item No.: 342 Zoning Agenda: APRIL 17, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Pat Keller* Noted and Approved *Captain J. Bradley*  
Planning Group Fire Prevention Bureau  
Special Inspection Division

JK/KEK

APR 10 1990

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: May 11, 1990  
FROM: Robert W. Bowling, P.E.  
RE: Zoning Advisory Committee Meeting  
for April 17, 1990

The Developers Engineering Division has reviewed the subject revised zoning items and we have no comments for Item 330, 331, 334, 335, 337, 339, 340, 341.

For Item 324, a County Review Group Plan may be required.

For Items 329 and 336 the previous County Review Group Comments still apply.

For Item 342, no comment on the variance request, however, the plat reference for Lot 5, Block B is SM 60, Folio 32.

*Robert W. Bowling*  
ROBERT W. BOWLING, P.E., Chief  
Developers Engineering Division

RWB:s

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

January 3, 1991

Mr. William Panageotou  
8700 Silver Hall Road  
Perry Hall, Maryland 21128

RE: Petition for Zoning Variance  
W/S Silver Hall Road, N/Corner Silver Spring Road  
(8700 Silver Hall Road)  
11th Election District - 5th Councilmanic District  
William Panageotou, et ux - Petitioners  
Case No. 90-473-A

Dear Mr. Panageotou:

I am in receipt of your letter dated December 12, 1990 addressed to Mr. William T. Hackett, Chairman, County Board of Appeals, with a copy to me, in which you expressed concerns regarding the hearing process in the above-captioned matter.

Unfortunately, you entered into a legal process in which there were numerous requirements and established legal burdens without benefit of legal counsel. The Zoning Commissioner's Office is not empowered to offer legal instruction or serve as legal counsel to applicants nor is it ethical for this office to do so.

As you were previously advised in my cover letter to you dated June 13, 1990 and subsequent correspondence to you of July 17, 1990, your only recourse in this matter was to file an appeal of the decision rendered by me within thirty (30) days of the date of the Order. The decision in this matter now rests with the County Board of Appeals and is out of the jurisdiction of the Zoning Commissioner's Office.

Very truly yours,

*J. Robert Haines*  
J. ROBERT HAINES  
Zoning Commissioner  
for Baltimore County

JRH:bjs

cc: Case File

BALTIMORE COUNTY, MARYLAND  
Inter-Office Correspondence

TO: Mary Emerick - County Council DATE: March 12, 1991  
FROM: Kathi Weidenhammer - Board of Appeals  
SUBJECT: Brief Background - Panageotou

Mary:

Attached is the information which you discussed with Bill Hackett by telephone today regarding the above matter and the appeal which was before this Board.

This information is provided for your use only as it is merely a brief summation of the file (the correspondence received by the Board was both lengthy and extensive). Please call me if you want to stop over to review the file (extension 3180).

kathi

Attachment

Baltimore County  
Zoning Commissioner  
Office of Planning and Zoning  
Towson, Maryland 21204  
(301) 887-3353  
J. Robert Haines  
Zoning Commissioner

September 12, 1990



Dennis F. Rasmussen  
County Executive

Ms. Deborah M. K. Soles  
8700-A Silver Hall Road  
Perry Hall, Maryland 21128

RE: Petition for Zoning Variance  
W/S Silver Hall Road, N of Silver Spring Road  
(8700 Silver Hall Road)  
11th Election District - 5th Councilmanic District  
William Panageotou, et ux - Petitioners  
Case No. 90-473-A

Dear Ms. Soles:

In response to your letter dated August 15, 1990 regarding the above-captioned matter, the following comments are offered.

As you are aware, the Petitioner has filed an appeal of the decision rendered in this case to the County Board of Appeals and as such, I no longer have any jurisdiction over the matter. The Board of Appeals will hold a new public hearing and has the authority to support, overrule, and/or change any decision rendered by this office in any way they deem appropriate. Accordingly, the decision in this matter now rests with the Board of Appeals and I will forward a copy of your letter for their review and consideration.

In response to your complaint as to the decision rendered in this matter, you were advised in writing by cover letter dated June 13, 1990, which was mailed to you along with a copy of the Order, that any party has the right to file an appeal. A copy of this letter is enclosed for your ready reference. Further, the Order restricts the relief granted subject to the 30-day appeal period.

As previously advised, your appropriate course of action was to file an appeal. Inasmuch as the deadline for filing appeals in this matter has passed, it is suggested that you attend the hearing at the Board level at such time as it is scheduled to voice your concerns.

Very truly yours,

*J. Robert Haines*  
J. ROBERT HAINES  
Zoning Commissioner  
for Baltimore County

JRH:bjs

cc: County Board of Appeals  
Case File  
SEP 13 1990  
COUNTY BOARD OF APPEALS

County Board of Appeals of Baltimore County  
COUNTY OFFICE BUILDING, ROOM 315  
111 W. CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204  
(301) 887-3180

RECEIVED  
DEC 21 1990

December 21, 1990 ZONING OFFICE

Mr. William Panageotou  
8700 Silver Hall Road  
Perry Hall, MD 21128

Re: Case No. 90-473-A  
William Panageotou, et ux

Dear Mr. Panageotou:

The Board is in receipt of your letter of December 12, 1990. The option of whether or not to dismiss the appeal is yours alone. However, there is no statutory provision which would enable this Board to refund the fee once an appeal has been noted.

Very truly yours,

*William T. Hackett*  
William T. Hackett, Chairman  
County Board of Appeals

cc: J. Robert Haines, Zoning Commissioner





County Board of Appeals of Baltimore County  
COUNTY OFFICE BUILDING, ROOM 315  
111 W. CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204  
(301) 887-3180

October 31, 1990

Mr. William Panageotou  
8700 Silver Hall Road  
Perry Hall, MD 21128

Re: Case No. 90-473-A  
William Panageotou, et ux

Dear Mr. Panageotou:

In response to your letter of October 16, 1990, regarding the posture of your appeal from the variance granted by the Zoning Commissioner, the situation is as follows.

Commissioner Haines' statements that the Board of Appeals will hold a new public hearing and has the authority to support, overrule, or change any decision rendered by him is correct. All hearings before the Board are de novo, which means that the case is considered as though no other hearing had been held and that all the testimony and evidence is taken by a court reporter, this being the only level in the administrative process in which a record is produced. If in our telephone conversation I inadvertently indicated otherwise, I will extend my apology to you since the Board will rule on the testimony and evidence produced and is under no constraints of any kind to the decision rendered by the Zoning Commissioner. Since you took the only appeal from the Zoning Commissioner's Order, should you dismiss this appeal, the Zoning Commissioner's Order would automatically become a final order.

Considering your request to remove letters from the file addressed to the Board, it is the position of this Board that all letters addressed to the Board concerning a case are included in the file. The Board then gives them the weight that we deem appropriate. Only those aspects of these pieces of correspondence that directly address the issue before the Board are given any weight whatsoever.

RECEIVED  
DEC 13 1990  
ZONING OFFICE

Mr. William T. Hackett  
Chairman, County Board of Appeals  
111 West Chesapeake Avenue  
Towson, Maryland 21204

8700 Silver Hall Road  
Perry Hall, Maryland 21128  
December 12, 1990

Re: Case No. 90-473-A  
William Panageotou, et ux

Dear Mr. Hackett:

On July 18, 1990 I appealed the decision rendered by the Baltimore County Zoning Commissioner concerning the variance granted for the construction of a deck in my rear yard. Prior to filing this appeal, I called the Zoning Commissioner's office and was told by someone in the office, whose name I regretfully cannot remember, that if I did not agree with the decision I could request a motion for reconsideration or file for an appeal. I requested the motion for reconsideration because the Protestants (Mr. and Mrs. John Soles) made false statements at the hearing concerning the location of their bedroom window and the distance between our houses; however, the motion was denied. I again called the Zoning office and specifically asked whether if I filed an appeal, could the variance granted by Commissioner Haines be overturned. I was told that it could not be overturned and that the Board of Appeals would either support the Commissioner's decision or grant my request for the additional two feet of variance. None of the correspondence from the Zoning office concerning the outcome of the variance hearing and my right to appeal indicate that the future hearing before the Board are de novo. I filed the appeal based on this information; that is, I would not jeopardize the variance already granted.

At my lawyers urging, I called you in September on the telephone and asked you specifically if the granted variance could be overturned. You stated very clearly that it could not be overturned. It was only after Commissioner Haines responded to a letter from the Protestants in August, which I saw after reviewing my file at your office in October, did I become suspect of the appeal process. This letter from Commissioner Haines to the Protestants should have been carbon copied to me but was not and therefore, I was not aware of the de novo situation until after your written correspondence to me dated October 31, 1990.

It's very clear that I was misinformed and misled about the appeal process. Due to the fact that I risk losing the granted variance by filing the appeal, I would like to withdraw the appeal with the condition that I be refunded the \$150.00 that I posted for the appeal. In the communication of this situation via telephone to you through a member of your staff, last week I was told that there is no way to return the \$150.00. However, I feel very strongly

Mr. William Hackett  
December 12, 1990

that Baltimore County personnel erred in the written and verbal information they gave me and, therefore, this money should be returned. If need be I will inform the County Executive of the details of this situation and request this refund directly from him.

Also, I am requesting that your correspondence to me not be carbon copied to the Protestants because it has no bearing as to the facts of case. Incidentally, it's a travesty that the Protestants can contest the construction of my deck yet they do not have a valid permit for the deck they constructed in their rear yard. The original permit for their house (No. 105923) and several subsequent permits filed by the Soles fail to show a permit for their deck. I have contacted various County agencies about their illegally constructed deck, including Permits and Licenses, Building Inspection Division, Zoning Enforcement, and the County Solicitors Office. None of these agencies appear to be interested in enforcing County building codes in this case, however, this is another matter in which I intend to see that justice is done.

A prompt reply would be greatly appreciated.

Very truly yours,  
*William Panageotou*  
William Panageotou

cc: J. Robert Haines, Zoning Commissioner

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

December 27, 1990

Mr. William Panageotou  
8700 Silver Hall Road  
Perry Hall, Maryland 21128

RE: Case No. C-91-775  
4628 Silver Spring Road  
11th Election District

Dear Mr. Panageotou:

In response to your letter of December 12, 1990 to Mr. William T. Hackett, Chairman, County Board of Appeals, a review of the zoning case file indicates that on October 15, 1990 Inspector Leonard Wasilewski determined no violation of the Baltimore County Zoning Regulations.

A further review of building permit number 105923, issued December 19, 1988 for a single family dwelling does take into the deck shown as option number 3.

I have enclosed a copy of the building permit along with a checklist of the options provided by the builder, Ryan Homes.

In addition, you will find a portion of the building inspection files that indicates that final occupancy for this residential dwelling was granted on April 10, 1989.

If further questions exist relative to action by the Zoning Enforcement Office, please contact us at 887-3351.

Sincerely,

*James H. Thompson*  
JAMES H. THOMPSON  
Zoning Enforcement Coordinator

JHT:ljs

Enclosures

cc: Mr. William T. Hackett  
Chairman, County Board of Appeals

Baltimore County  
Zoning Commissioner  
Office of Planning and Zoning  
Towson, Maryland 21204  
(301) 887-3353  
J. Robert Haines  
Zoning Commissioner

August 8, 1990

Baltimore County Board of Appeals  
County Office Building, Room 315  
Towson, Maryland 21204

RE: Petition for Zoning Variance  
W/S Silver Hall Road, N/C of Silver Spring Road  
(8700 Silver Hall Road)  
11th Election District, 5th Councilmanic District  
WILLIAM PANAGEOTOU, ET UX - Petitioner  
Case No. 90-473-A

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on July 18, 1990 by William Panageotou, Petitioner. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

*J. Robert Haines*  
J. ROBERT HAINES  
Zoning Commissioner

JRH:car

Enclosures

cc: Mr. & Mrs. William Panageotou  
8700 Silver Hall Road, Perry Hall, Maryland 21128

Mr. & Mrs. John A. Soles, Jr.  
8700A Silver Hall Road, Perry Hall, Maryland 21128

People's Counsel of Baltimore County  
Rm. 304, County Office Bldg., Towson, Md. 21204

File



County Board of Appeals of Baltimore County  
COUNTY OFFICE BUILDING  
111 W. CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204  
(301) 887-3180

HEARING ROOM - Room 301  
County Office Building  
August 23, 1990  
NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 90-473-A

WILLIAM PANAGEOTOU, ET UX  
W/S Silver Hall Rd., N/S Silver Spring Road (8700 Silver Hall Rd.)  
11th Election District  
5th Councilmanic District

VAR-Deck/setbacks and amendment to plan.

6/18/90 - Z.C.'s Order DENYING Petition in part; GRANTING in part.

ASSIGNED FOR: FRIDAY, FEBRUARY 15, 1991 at 1:00 p.m.

cc: Mr. and Mrs. William Panageotou Petitioners/Appellants

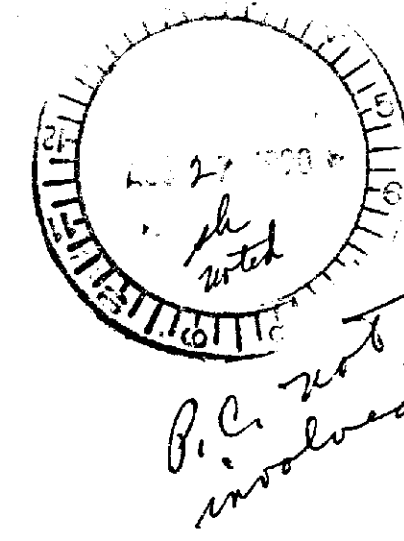
Mr. and Mrs. John A. Soles, Jr. Protestants

✓ People's Counsel for Baltimore County

P. David Fields  
Pat Keller  
J. Robert Haines  
Ann M. Nastarowicz  
James E. Dyer  
W. Carl Richards, Jr.  
Docket Clerk - Zoning  
Arnold Jablon, County Attorney

LindaLee M. Kuszmaul  
Legal Secretary

RECEIVED  
COUNTY BOARD OF APPEALS  
90 AUG 28 PM 1:55



County Board of Appeals of Baltimore County  
COUNTY OFFICE BUILDING, ROOM 315  
111 W. CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204  
(301) 887-3180

Hearing Room -  
Room 301, County Office Bldg. February 5, 1991

NOTICE OF POSTPONEMENT AND REASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 90-474-A  
90-472-A & P

WILLIAM PANAGEOTOU, ET UX  
W/S Silver Hall Rd., N/S Silver Spring Road (8700 Silver Hall Rd.)  
11th Election District  
5th Councilmanic District

VAR-Deck/setbacks and amendment to plan.

6/18/90 - Z.C.'s Order DENYING Petition in part; GRANTING in part.

which was scheduled for hearing on February 15, 1991 has been POSTPONED at the request of Protestants and has been

REASSIGNED FOR: WEDNESDAY, FEBRUARY 27, 1991 AT 1:00 p.m.

cc: Mr. and Mrs. Wm. Panageotou Petitioners/Appellants

Mr. and Mrs. John A. Soles, Jr. Protestants

P. David Fields  
Pat Keller  
Public Services  
J. Robert Haines  
Ann M. Nastarowicz  
James E. Dyer  
W. Carl Richards, Jr.  
Docket Clerk - Zoning  
Arnold Jablon, County Attorney

LindaLee M. Kuszmaul  
Legal Secretary



County Board of Appeals of Baltimore County  
COUNTY OFFICE BUILDING, ROOM 315  
111 W. CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204  
(301) 887-3180

Hearing Room -  
Room 301, County Office Bldg. February 5, 1991

NOTICE OF POSTPONEMENT AND REASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 90-474-A

WILLIAM PANAGEOTOU, ET UX  
W/S Silver Hall Rd., N/S Silver Spring Road (8700 Silver Hall Rd.)  
11th Election District  
5th Councilmanic District

VAR-Deck/setbacks and amendment to plan.

6/18/90 - Z.C.'s Order DENYING Petition in part; GRANTING in part.

which was scheduled for hearing on February 15, 1991 has been POSTPONED at the request of Protestants and has been

REASSIGNED FOR: WEDNESDAY, FEBRUARY 27, 1991 AT 1:00 p.m.

cc: Mr. and Mrs. Wm. Panageotou Petitioners/Appellants

Mr. and Mrs. John A. Soles, Jr. Protestants

P. David Fields  
Pat Keller  
Public Services  
J. Robert Haines  
Ann M. Nastarowicz  
James E. Dyer  
W. Carl Richards, Jr.  
Docket Clerk - Zoning  
Arnold Jablon, County Attorney

LindaLee M. Kuszmaul  
Legal Secretary

90 AUG 22 PM 2:45

RECEIVED



Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

September 12, 1990

Ms. Deborah M. K. Soles  
8700-A Silver Hall Road  
Perry Hall, Maryland 21128

RE: Petition for Zoning Variance  
W/S Silver Hall Road, N of Silver Spring Road  
(8700 Silver Hall Road)  
11th Election District - 5th Councilmanic District  
William Panageotou, et ux - Petitioners  
Case No. 90-473-A

Dear Ms. Soles:

In response to your letter dated August 15, 1990 regarding the above-captioned matter, the following comments are offered.

As you are aware, the Petitioner has filed an appeal of the decision rendered in this case to the County Board of Appeals and as such, I no longer have any jurisdiction over the matter. The Board of Appeals will hold a new public hearing and has the authority to support, overrule, and/or change any decision rendered by this office in any way they deem appropriate. Accordingly, the decision in this matter now rests with the Board of Appeals and I will forward a copy of your letter for their review and consideration.

In response to your complaint as to the decision rendered in this matter, you were advised in writing by cover letter dated June 13, 1990, which was mailed to you along with a copy of the Order, that any party has the right to file an appeal. A copy of this letter is enclosed for your ready reference. Further, the Order restricts the relief granted subject to the 30-day appeal period.

As previously advised, your appropriate course of action was to file an appeal. Inasmuch as the deadline for filing appeals in this matter has passed, it is suggested that you attend the hearing at the Board level at such time as it is scheduled to voice your concerns.

Very truly yours,

*J. Robert Haines*  
J. ROBERT HAINES  
Zoning Commissioner  
for Baltimore County

JRH:bjs

cc: County Board of Appeals  
Case File



County Board of Appeals of Baltimore County

COUNTY OFFICE BUILDING, ROOM 315  
111 W. CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204  
(301) 887-3180

September 20, 1990

Ms. Deborah M. K. Soles  
8700-A Silver Hall Road  
Perry Hall, MD 21128

Re: Case No. 90-473-A  
William Panageotou, et ux

Dear Ms. Soles:

The Board is in receipt of your letter dated September 7, 1990 which has been placed in the Board's file for information purposes. As you are aware, a timely appeal was filed by the appellant in this case (William Panageotou), and the matter is scheduled for hearing before this Board on February 15, 1991. The only issue for consideration by this Board will be whether or not the variance should be granted.

The Board has reviewed your letter and notes that many of the issues that you have raised therein are not relevant to the subject matter of the scheduled appeal. The Board also has in its file a copy of a letter dated September 15, 1990 addressed to you from J. Robert Haines, Zoning Commissioner for Baltimore County. The comments contained in his letter are advisory to you, and this Board agrees with the comments contained therein.

If this matter proceeds to a full hearing before this Board on the above-scheduled date, you will have the opportunity to appear before the Board and offer testimony in your capacity as an adjacent property owner and a protestant.

Very truly yours,

*William T. Hackett*  
William T. Hackett, Chairman  
County Board of Appeals

cc: Mr. William Panageotou

BALTIMORE COUNTY, MARYLAND

COPY Inter-Office Correspondence COPY

TO: Mary Emerick -County Council DATE: March 13, 1991

FROM: Kathi Weidenhammer -Bd of Appeals

SUBJECT: Board's Final Opinion and Order -  
Panageotou Matter

Mary:

Attached for your information is a copy of the Board's Order of Dismissal issued this date in the subject matter. We will hold the file for the 30-day appeal period (through April 12, 1991). After that time, the file will be closed and returned to the Zoning Office for microfilming. Should you need any material from the file, let me know, and I'll take care of it for you prior to closing.

Kathi

Attachment

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353  
J. Robert Haines  
Zoning Commissioner

August 8, 1990

Baltimore County Board of Appeals  
County Office Building, Room 315  
Towson, Maryland 21204

RE: Petition for Zoning Variance  
W/S Silver Hall Road, N/C of Silver Spring Road  
(8700 Silver Hall Road)  
11th Election District, 5th Councilmanic District  
WILLIAM PANAGEOTOU, ET UX - Petitioner  
Case No. 90-473-A

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on July 18, 1990 by William Panageotou, Petitioner. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

*J. Robert Haines*  
J. ROBERT HAINES  
Zoning Commissioner

JRH:cer

Enclosures

cc: Mr. & Mrs. William Panageotou  
8700 Silver Hall Road, Perry Hall, Maryland 21128

Mr. & Mrs. John A. Soles, Jr.  
8700A Silver Hall Road, Perry Hall, Maryland 21128

People's Counsel of Baltimore County  
Rm. 304, County Office Bldg., Towson, Md. 21204

File



County Board of Appeals of Baltimore County

COUNTY OFFICE BUILDING, ROOM 315  
111 W. CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204  
(301) 887-3180

February 13, 1991

Mr. William Panageotou  
8700 Silver Hall Road  
Perry Hall, MD 21128

RE: Case No. 90-473-A  
William Panageotou, et ux

Dear Mr. Panageotou:

The Board is in receipt of your letter dated February 13, 1991 regarding the subject matter and the postponement granted by this Board for hearing of same from February 15, 1991 to February 27, 1991.

After discussion of your above-referenced letter with the Board Chairman, William T. Hackett, please be advised that Case No. 90-473-A, William Panageotou, et ux, will be heard on Wednesday, February 27, 1991 at 1:00 p.m., as indicated on the Notice of Postponement issued by this Board on February 5, 1991, a copy of which is enclosed for your convenience, and which was mailed to you on February 5. No further postponements or reassignments of this matter will be granted.

Very truly yours,

*Kathleen C. Weidenhammer*  
Kathleen C. Weidenhammer  
Administrative Assistant

Enclosure

cc: Mr. & Mrs. John A. Soles, Jr.

PP to 2/24/91  
@ 1:00 pm

8700A Silver Hall Road  
Perry Hall, MD 21128  
February 1, 1991

Mr. William T. Hackett  
Chairman, County Board of Appeals  
of Baltimore County  
111 West Chesapeake Ave.  
Towson, MD 21204

Re: Case No. 90-476-A  
William Panageotou, et ux

Dear Mr. Hackett

I have been informed that my company has made plans for me to be out of town from Thursday 2-14 through Sunday 2-17. I very much wish to attend the appeal of Mr. Panageotou. My wife and I are neighbors and protestants in this case. There are several facts that we think you will find very interesting concerning this case which we think will have a bearing on your decision. This case has been a hardship for my wife and I. Trying to reverse this decision by my company will cause a particularly difficult hardship. Please accept my appeal for a postponement of this hearing on February 15th 1991 to a later date which is convenient to everyone.

Thank you.

*John Soles*  
John Soles

91 FEB -4 PM 4:27  
RECEIVED  
COUNTY BOARD OF APPEALS

8700 Silver Hall Road  
Perry Hall, MD 21128  
July 18, 1990

Mr. J. Robert Haines  
Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, MD 21204

Re: Petition for Zoning Variance  
Case No. 90-473-A

Dear Mr. Haines:

I am appealing your decision concerning the size restriction of the deck that I desire to construct in my rear yard. Please forward my file to the County Board of Appeals.

Sincerely,

*William Panageotou*  
William Panageotou  
554-5516 (w) or  
554-5576 (h)  
258-8771 (d)

dp

RECEIVED  
JUL 18 1990  
ZONING OFFICE

8700 Silver Hall Road  
Perry Hall, MD 21128  
July 18, 1990

Re: Petition for Zoning Variance  
Case No. 90-473-A

Dear Sir or Madam:

I am appealing the decision made by the Baltimore County Zoning Commissioner concerning the size restriction of the deck that I desire to construct in my rear yard.

I have requested from the Office of Planning & Zoning that my file be forwarded to you. If you need to contact me, please call 554-5516 or 554-5576.

Sincerely,

*William Panageotou*  
William Panageotou

dp

90 JUL 18 AM 10:53  
RECEIVED  
COUNTY BOARD OF APPEALS



APPEAL

Petition for Zoning Variance  
W/S Silver Hall Road, N/C of Silver Spring Road  
(8700 Silver Hall Road)  
11th Election District - 5th Councilmanic District  
WILLIAM PANAGEOTOU, ET UX - Petitioner  
Case No. 90-473-A

- ✓Petition for Zoning Variance  
✓Description of Property  
✓Certificate of Posting  
✓Certificate of Publication  
Entry of Appearance of People's Counsel (None submitted)  
✓oning Plans Advisory Committee Comments  
Director of Planning & Zoning Comments  
Petitioner's Exhibits: ✓1. Plat to accompany Zoning Variance Petition  
✓2. Photographs of site  
Zoning Commissioner's Order dated June 18, 1990 (Denied in part, and  
ranted in part with restrictions)  
Notice of Appeal received July 18, 1990 from William Panageotou,  
Petitioner

Mr. & Mrs. William Panageotou  
8700 Silver Hall Road, Perry Hall, Maryland 21128

Mr. & Mrs. John A. Soles, Jr.  
8700A Silver Hall Road, Perry Hall, Maryland 21128

People's Counsel of Baltimore County  
Rm. 304, County Office Building, Towson, Md. 21204

Request Notification: P. David Fields, Director of Planning & Zoning  
Patrick Keller, Office of Planning & Zoning  
J. Robert Haines, Zoning Commissioner  
Ann M. Nastarowicz, Deputy Zoning Commissioner  
James E. Dyer, Zoning Supervisor  
W. Carl Richards, Jr., Zoning Coordinator  
Docket Clerk  
Arnold Jablon, County Attorney

8/23/90 - Following parties notified of hearing set for February 15, 1991 at 1:00 p.m.:

Mr. and Mrs. William Panageotou  
Mr. and Mrs. John A. Soles, Jr.  
People's Counsel for Baltimore County  
P. David Fields  
Pat Keller  
J. Robert Haines  
Ann M. Nastarowicz  
James E. Dyer  
W. Carl Richards, Jr.  
Docket Clerk - Zoning  
Arnold Jablon, County Attorney

9/10/90 -Letter received from Ms. Soles regarding appeal and case no. 90-473-A.

9/20/90 -Letter from CBA, WTH to Ms. Soles in response to her 9/10/90 letter w/ copy to Mr. Panageotou advising that only issue before CBA is whether or not variance should be granted.

10/25/90 -Received letter from Mr. Panageotou re clarification of hearing before Board / removal of certain letters from Board's file /letter in Zoning

10/31/90 -Response from WTH to Mr. Panageotou -de novo hearing; letters to stay in file; pass along request re letter to Commissioner Haines to his office by copy of letter to Mr. P.

2/5/91 - Above parties notified of POSTPONEMENT and REASSIGNMENT to February 27, 1991 at 1:00 p.m.

2/13/91 -Letter from Petitioner/Appellant requesting change of hearing date back to February 15, 1991; letter from KCW to Mr. Panageotou (Petitioner/Appellant) advising that matter will be heard on February 27, 1991 at 1:00 p.m. as scheduled; enclosed informational copy of 2/05/91 Notice of Postponement & Reassignment which was originally sent to Appellant on 2/05/91.

8700A Silver Hall Road  
Perry Hall, Maryland 21128

August 15, 1990

RECEIVED  
AUG 20 1990

ZONING OFFICE

Mr. J. Robert Haines  
Zoning Commissioner, Baltimore County  
Office of Planning & Zoning  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Re: Variance Granted to William Panageotou at 8700 Silver Hall Road,  
Perry Hall, MD 21128, Case Number 90-473-A

Dear Commissioner Haines,

My husband and I would like to go on record as appealing the variance mentioned above. Obviously, we are in excess of thirty (30) days of the deadline noted (July 18, 1990) for filing, and have just been informed that an appeal initiated by us would not be heard; however, it has recently come to our attention that Mr. Panageotou has filed an appeal to the variance you granted him in June of this year, and we wanted our feelings on this matter to be known.

In retrospect, we should not have taken your pronouncement at the hearing so literally - to the effect that your decision was final, and that no further appeals would change the outcome. When you granted Mr. Panageotou his ten (10) foot by twenty-seven (27) foot deck, my husband and I were flabbergasted! The sheer size of this proposed deck was garish and most inappropriate, given the extremely limited space between our houses.

We were very unhappy with your verdict, and I phoned Mr. Joseph Neary (sp?), your advisor/lawyer at the hearing, the next morning to obtain additional clarification as to why this particular variance was granted. After speaking with Mr. Neary (sp?), my husband and I decided to make a concession to the Panageotous and, against our better judgement, not to contest your ruling. The events of the past few weeks have made us seriously regret that decision.

Apparently, Mr. Panageotou paid no heed whatsoever to your ruling. We did not imagine that his request would be granted, much less that he would continue to push for an additional variance. My husband and I are appalled and outraged that this individual has such ill regard for the reasonable wishes of his neighbors - to say nothing of the dictates of good taste - that he would insist that whatever he wants to build should simply be allowed.

The Baltimore County Board of Appeals received his appeal for an additional variance to allow him to construct a twelve (12) foot by twenty-seven (27) foot deck at the back of his house, facing the side of our house. I spoke with someone at the Board of Appeals and she suggested that I contact your office with my appeal, for the record. In the unlikely event that Mr. Panageotou would withdraw his current appeal, my husband and I would like to be granted an appeal to halt construction by Mr. Panageotou of any deck whatsoever, including the original variance he obtained from you. We believe the Panageotous to be insensitive, thoughtless and exceedingly careless, and we believe that their construction of anything between our homes to be a serious threat to our property and our well-being.

Page 2  
Letter to Commissioner Haines

There have been a series of unfortunate incidents in which Mr. Panageotou and his wife, Diana, have harassed and threatened my husband and myself with any number of occurrences if we continue to object to their construction of this 12' x 27' deck. The weekend past, this harassment escalated to include the Panageotous creating a public nuisance and calling the police.

You might recall my husband's and my objections to the construction of such an enormous covered, latticed deck. We were, and still are, extremely concerned about the fire hazard that such a structure represents with our houses so close, the noise problems that it will generate adjacent to our sleeping quarters, and the very serious question of our property value being reduced. Mr. Panageotou should have realized when he purchased his home on such a small piece of property that he would not have the available space to build a deck of the dimensions he is currently proposing. His continuing bullying of my husband and me will do nothing but make our resolve stronger to oppose him.

I am exceedingly distressed that my husband's and my concerns were not taken into greater consideration prior to this variance being granted. At this point, we are left with no other recourse than to engage an attorney in the hopes of more forceful representation at this upcoming variance appeal.

I thank you for reading this letter and including it in the file for this case. Any consideration you could give our plight would be greatly appreciated.

Very truly yours,

Deborah M. K. Soles  
Deborah M. K. Soles

00-14dnks

8700A Silver Hall Road  
Perry Hall, Maryland 21128

September 17, 1990

Mr. Scott B. Karp  
Jerry S. Sopher, P. A.  
913 South Charles Street  
Baltimore, Maryland 21203

Dear Mr. Karp,

Pursuant to your correspondence of August 28, 1990, let me make you aware that we have spoken to an attorney in Towson who has read the ingress/egress document which your clients, the Panageotous, signed when they purchased the house at 8700 Silver Hall Road in Perry Hall, Baltimore County. Also, having recently spoken with Mr. Henry Clark, legal counsel to Ryan Homes, and author of the ingress/egress document, we have been advised that you and your clients have misinterpreted not only the points of law contained in the document but also the spirit and intent of the document itself. Your clients are in breach of contract.

Both Mr. Clark and our attorney agree that we have every right to use our private driveway in a reasonable manner including, but not limited to, temporary parking of our family and friends' vehicles when they come to visit, service personnel called to our house temporarily parking on the driveway, and temporarily parking our vehicles on the driveway while we're doing yardwork (mowing, trimming and sweeping).

The language in the ingress/egress document was specifically written by Mr. Clark in a clear, concise manner to avoid any confusion about the rights and obligations of the parties involved. Words such as "unobstructed use" and "not to interfere with or impede" support this understanding. There is no wording contained in the document giving the Panageotous any rights at all. They have obligations in the document giving the Panageotous any rights at all. They have obligations only to stay out of our collective way and off of our driveway. They merely own the land - not our private driveway.

My husband and I have no interest whatsoever in disputing that our private driveway (the aforementioned ingress/egress) traverses property owned by the Panageotous. Our house could not have been built without the ingress/egress, allowing us access to and from Silver Hall Road. (We were not able to have a private driveway off of Silver Spring Road.) When your clients agreed to purchase their house, they knew about the ingress/egress and signed the agreement of their own volition. As a matter of fact, my husband and I had to agree to give up two (2) feet by one hundred (100) feet of our property to allow the Panageotous to have their house built. Reasonable people are obliged to make concessions in certain circumstances, and we did so.

Thus, the private driveway and carport were installed for our specific benefit, not for any use whatsoever by the Panageotous. They did not own our private driveway in December 1988 when all of us signed the ingress/egress agreement and, some twenty-one (21) months later, they still do not, in any way, shape or form, own our private driveway, only the property over which our private driveway crosses. They have a separate and distinct driveway of their own in which they park their van, while parking their car on Silver Hall Road.

COUNTY BOARD OF APPEALS  
91 FEB 27 PM 12:39

8700 Silver Hall Road  
Perry Hall, MD 21128

February 27, 1991

Mr. William T. Hackett  
Chairman, County Board of Appeals  
of Baltimore County  
Towson, MD 21204

Re: Case No. 90-473-A  
William Panageotou, et ux

Dear Mr. Hackett:

Due to your decision to grant the postponement of my appeal at the request of Mr. John Soles from February 15, 1991, to February 27, 1991, I am forced to dismise the above-referenced appeal. My attorney is unable to represent me on this date due to the unreasonably short notice given. In your letter to me dated February 13, 1991, you stated that no further postponements or reassignments of this matter will be granted. Therefore, your granting the postponement at Mr. Soles request has denied me my legal rights to representation by an attorney. This is a violation of Rule 6b as stated in the Rules Of Practice and Procedure Of County Board Of Appeals.

Your granting the postponement of my appeal also ignored the provisions of Rules 2b and 2c as stated in the Rules Of Practice and Procedure Of County Board Of Appeals. I expressed this violation to you in the letter dated February 13, 1991, in which I requested that the appeal be heard as assigned on February 15, 1991.

Rule 2b states: "Postponements and continuances will be granted at the discretion of the board only upon request in writing by an attorney of record, addressed to the board and with a copy to every other attorney of record, or party of record (if not represented by counsel) entitled to receive notice, in accordance with section 500.11 of the Baltimore County Zoning Regulations, setting forth good and sufficient reasons for the requested postponement." The Soles did not notify me, the party of record, of the request for postponement; nor, are the Soles entitled to request a postponement as they are only protestants. I am the party of record and filed the \$150.00 fee for the appeal and I did not request or desire a postponement.

Rule 2c states: "No postponement shall be granted within fifteen (15) days next prior to the hearing date except in extraordinary circumstances and for a reason satisfactory to the board, given by the party requesting such postponement indicating that the circumstances requiring the postponement are of an unusual and extraordinary nature." You received Mr. Soles request on February 4, 1991, eleven (11) days next prior to the hearing date.

8700A Silver Hall Road  
Perry Hall, Maryland 21128

February 21, 1991

Mr. William Hackett  
Baltimore County Board of Appeals  
County Office Building, Room 315  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Ref.: Case No. 90-474-A William Panageotou et ux  
VAR-Deck/setbacks and amendment to plat

Dear Mr. Hackett and Members of the Board:

First, my husband and I would like to thank the Board for granting us an extension on the above referenced hearing. In today's business climate, when your company says jump, you only ask how high. We appreciate the Board's consideration in this very important matter. Unfortunately, my husband's company has just requested his presence at another meeting (Atlanta) from the 26th through the 28th of this month, so he will be unable to attend this appeal. I'm asking my father to join me for moral support. I hope that's not a problem.

Just for the record, I would like to bring the Board current regarding the ongoing and never-ending series of harassing and threatening actions on the part of the Panageotous. For people who would like our cooperation in obtaining this deck variance, they have a bizarre way of going about it. The term "neighbors" could never be applied to them, even in jest. Please bear with me; it's a long list.

Mr. Panageotou has...

- Lied at the initial hearing before Commissioner Haines when he claimed that there was an identical situation to ours (he had a photograph) with houses less than 25 feet apart, with a 14-foot wide deck off one of the houses. The houses in question (the one with the deck is the model home) are nearly 29 feet apart and the deck is 10' wide. [In another photograph, it showed his child sledding down our private driveway...interesting, wouldn't you say?]
- Lied to your Board in his letter when he claimed that my husband and I attempted to poison his children. We had a family of rabbits living nearby who were ravenously munching on and digging in our shrubbery and flowers - a veterinarian and a landscaper both suggested that mothballs spread at the outer perimeter of our property should keep the rabbits at bay, and it worked. Neither my husband nor I would ever harm a child under any circumstances. We both love children and can't wait to start our own family. Perhaps if the Panageotous kept their children under proper supervision, they would not have to worry about anything their neighbors did on their private property.



8700 Silver Hall Road  
Perry Hall, MD 21128  
July 16, 1990

Mr. J. Robert Haines  
Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, MD 21204

Re: Petition for Zoning Variance  
Case No. 90-473-A

Dear Mr. Haines:

Please consider this a request for a motion for reconsideration concerning the zoning variance granted for the construction of said deck. I sincerely regret requesting this motion the day before the appeal process expires. However, for the following reasons, I am asking you to reconsider your decision by Wednesday, July 18, before I would be required to file and incur the expense of an appeal. I feel this new evidence may be appropriate for a reconsideration rather than an appeal.

1. The information on the county plat from which I took my measurements is incorrect. As stated at the hearing and erroneously indicated on the plat, the distance between the back of our house and the side of the Sole's house is 27' rather than 25'. This can be verified upon request.
2. This weekend, my wife and I were looking at a newly constructed model home (Northwind community, Baltimore County) and noticed a nearly identical situation to ours. This house has a deck that extends outward 11' and the distance between the back and side of the houses is 27'. As with our house, this is also a Ryan homes community and it appears that many houses are now being built with very small backyards. Enclosed are pictures of the over all look (pictures #1 and #2. Picture #3 is a comparable view of our house and the Protestants house.). In our situation, a 10' deck on our house would look long and narrow and at the point where the kitchen protrudes outward 2', the deck would only be 3' wide. Several contractors recently told us that we could barely fit a table and chairs and have room for passage. All along

Plat for ZONING VARIANCE  
OWNER: William & DIANA Panageotou  
District-11, Zoned D.R. 5.5

Subdivision- Village of Silver Hall  
Lot 5, block B, Plat book E.H.K. JR. NO. 55, FOLIO 75  
Existing utilities in Silver Hall & Silver Spring Rds.

Lot size:  
7100 sq. ft.  
0.165 acre

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME  
MR & MRS JOHN A. SOLES, JR.

ADDRESS  
8700A SILVER HALL RD.  
PERRY HALL, MD 21128

PETITIONER'S  
EXHIBIT 1

VICINITY MAP

Northwest corner  
Silver Hall Rd.  
Silver Spring Rd.

Plat for ZONING VARIANCE  
owner: William & DIANA Panageotou  
District-11, Zoned D.R. 5.5

Subdivision- Village of Silver Hall  
Lot 5, block B, Plat book E.H.K. JR. NO. 55, FOLIO 75  
Existing utilities in Silver Hall & Silver Spring Rds.  
This property is NOT in CRITICAL AREA

Lot size:  
7100 sq. ft.  
0.165 acre

